

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DALE GARCIA and JANA
ARCHAMBEAU, husband and wife,

Plaintiffs,

v.

THOMAS BENENATI and LORETTA
BENENATI, husband and wife and the
marital community thereof; RYAN
LAYTON and JANE DOE LAYTON,
husband and wife and the marital
community thereof; ROBERT INGRAM
and JANE DOE INGRAM, husband and
wife and the marital community thereof;
HEATH YATES and JANE DOE YATES,
husband and wife and the marital
community thereof; MATT NILES and
JANE DOE NILES, husband and wife and
the marital community thereof; STATE OF
WASHINGTON; WASHINGTON STATE
PARKS AND RECREATION
COMMISSION; JOHN and JANE DOES 1-
20 and the marital communities thereof, and
ABC CORPORATIONS 1-10,

Defendants.

No. 3:19-cv-05597-BHS

AGREED ORDER GRANTING
INDIVIDUAL DEFENDANTS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT

NOTE ON MOTION CALENDAR:
September 4, 2020

This matter having come before the Court on the parties' agreement as to *Individual Defendants' Motion for Partial Summary Judgment*, Dkt. No. 21, and the Court having considered the Motion, this Court understands that the parties have agreed that the aforesaid motion should be granted, and finding itself fully informed,

ORDER GRANTING INDIVIDUAL DEFS' MOTION FOR
PARTIAL SUMMARY JUDGMENT - 1
3:19-cv-05597-BHS

1039-00012/19-5597 Garcia Stip order on SJ.docx

KEATING, BUCKLIN & MCCORMACK, INC., P.S.

ATTORNEYS AT LAW
801 SECOND AVENUE, SUITE 1210
SEATTLE, WASHINGTON 98104
PHONE: (206) 623-8861
FAX: (206) 223-9423

The Court hereby **GRANTS** *Individual Defendants' Motion For Partial Summary Judgment* and **ORDERS** that all 42 USC §1983 claims against Defendants Robert Ingram, Ryan Layton, Heath Yeats, and Matt Niles (and their associated "Jane Doe" Defendants) are dismissed with prejudice and without assessment of costs or fees.

The Court further **GRANTS** *Individual Defendants' Motion for Partial Summary Judgment* and **ORDERS** that all state law claims against Defendants Robert Ingram, Ryan Layton, Heath Yeats, and Matt Niles (and their associated "Jane Doe" Defendants) are dismissed without prejudice and without assessment of costs or fees.

The Court further **GRANTS** *Individual Defendants' Motion For Partial Summary Judgment* and **ORDERS** that all state law claims against Heath Yeats (and his associated "Jane Doe" Defendant) are dismissed with prejudice and without assessment of costs or fees.

DONE IN OPEN COURT THIS 22nd DAY OF September, 2020.



BENJAMIN H. SETTLE
United States District Judge

Presented by:

KEATING BUCKLIN & MCCORMACK, INC., P.S.

By: /s/ Stewart A. Estes

Stewart A. Estes, WSBA #15535

Special Assistant Attorney General for Defendants
THOMAS BENENATI and LORETTA BENENATI,
RYAN LAYTON and JANE DOE LAYTON,
ROBERT INGRAM and JANE DOE INGRAM,
HEATH YATES and JANE DOE YATES, MATT
NILES and JANE DOE NILES, STATE OF

ORDER GRANTING INDIVIDUAL DEFS' MOTION FOR
PARTIAL SUMMARY JUDGMENT - 2
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ATTORNEYS AT LAW
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SEATTLE, WASHINGTON 98104
PHONE: (206) 623-8861
FAX: (206) 223-9423

1 WASHINGTON, and WASHINGTON STATE
2 PARKS AND RECREATION COMMISSION

3 LEEMON + ROYER, PLLC

4 By: /s/ Mark Leemon

Mark Leemon, WSBA #5005

5 Attorneys for Plaintiffs

6 403 Columbia Street, Suite 500

7 Seattle, WA 98104

8 Tel: 206-269-1100

Fax: 206-269-7424

leemon@leeroylaw.com